

BILL ANALYSIS

S.B. 2504
By: Nichols
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 2504 creates the Montgomery County Municipal Utility District No. 128 (MUD No. 128). MUD No. 128 will encompass an area of land outside the corporate limits of any city and within the extraterritorial jurisdiction of the City of Conroe, Montgomery County, Texas. This bill also creates Montgomery County Municipal Utility District No. 129 (MUD No. 129). MUD No. 129 will encompass an area of land outside the corporate limits of any city and within the extraterritorial jurisdiction of the City of Willis, Montgomery County, Texas. This bill requires land located within MUD No. 128 and MUD No. 129 to be developed into single family residential and commercial development; therefore, water, sewer, drainage and road services need to be secured. The bill authorizes MUD No. 128 and MUD No. 129 to impose a tax and issue bonds, and grants limited power of eminent domain. S.B. 2504 provides regulations regarding the creation, administration, powers, duties, operation, and financing of MUD No. 128 and MUD No. 129.

RULEMAKING AUTHORITY

It is the Committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapters 8355 and 8356, as follows:

CHAPTER 8355. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 128

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 128 (MUD No. 128) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of MUD No. 128 (Sections 8355.001-8355.050);

Size, composition, election, and terms of the board of directors of MUD No. 128 (Sections 8355.051-8355.100);

Powers and duties of MUD No. 128 (Sections 8355.101-8355.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for MUD No. 128 (Sections 8355.151-8355.203).

Prohibits MUD No. 128 from exercising the power of eminent domain outside MUD No. 128 to acquire a site or easement for a road project authorized by Section 8355.103 or a recreational facility as defined by Section 49.462 (Definitions), Water Code.

CHAPTER 8356. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 129

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 129 (MUD No. 129) in Montgomery County. Sets forth standards, procedures, requirements and criteria for:

Creation and approval of MUD No. 129 (Sections 8356.001-8356.050);

Size, composition, election, and terms of the board of directors of MUD No. 129 (Sections 8356.051-8356.100);

Powers and duties of MUD No. 129 (Sections 8356.101-8356.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for MUD No. 129 (8356.151-8356.203).

Prohibits MUD No. 129 from exercising the power of eminent domain outside MUD No. 129 to acquire a site or easement for a road project authorized by Section 8356.103 or a recreational facility as defined by Section 49.462, Water Code.

SECTION 2. (a) Sets forth the initial boundaries of MUD No. 128.

(b) Sets forth the initial boundaries of MUD No. 129.

SECTION 3. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect September 1, 2009.